
SUBSTITUTE HOUSE BILL 2834

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Campbell, Cody, Darneille, Conway, Edwards, Chase, Hunt and Pflug)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to requiring a medication or treatment order as a
2 condition for children with life-threatening conditions to attend
3 public school; and adding a new section to chapter 28A.210 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.210
6 RCW to read as follows:

7 (1) The attendance of every child at every public school in the
8 state shall be conditioned upon the presentation before or on each
9 child's first day of attendance at a particular school of a medication
10 or treatment order addressing any life-threatening health condition
11 that the child has that may require medical services to be performed at
12 the school. Once such an order has been presented, the child shall be
13 allowed to attend school.

14 (2) The chief administrator of every public school shall prohibit
15 the further presence at the school for any and all purposes of each
16 child for whom a medication or treatment order has not been provided in
17 accordance with this section if the child has a life-threatening health
18 condition that may require medical services to be performed at the
19 school and shall continue to prohibit the child's presence until such

1 order has been provided. The exclusion of a child from a school shall
2 be accomplished in accordance with rules of the state board of
3 education. Before excluding a child, each school shall provide written
4 notice to the parents or legal guardians of each child or to the adults
5 in loco parentis to each child, who is not in compliance with the
6 requirements of this section. The notice shall include, but not be
7 limited to, the following: (a) The requirements established by this
8 section; (b) the fact that the child will be prohibited from further
9 attendance at the school unless this section is complied with; and (c)
10 such procedural due process rights as are established pursuant to this
11 section.

12 (3) The state board of education shall adopt rules under chapter
13 34.05 RCW that establish the procedural and substantive due process
14 requirements governing the exclusion of children from public schools
15 under this section. The rules shall include any requirements under
16 applicable federal laws.

17 (4) As used in this section, "life-threatening condition" means a
18 health condition that will put the child in danger of death during the
19 school day if a medication or treatment order and a nursing plan are
20 not in place.

21 (5) As used in this section, "medication or treatment order" means
22 the authority a registered nurse obtains under RCW 18.79.260(2).

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